

# THE HUMAN CARE AGREEMENT PROCESS:

**AN INNOVATIVE METHOD OF  
PROCURING SERVICES**

**Government of the District of Columbia**

# HUMAN CARE AGREEMENTS

- Authorized by the Procurement Practices Human Care Agreement Amendment Act of 2000 (D.C.Law 13-155)

# HUMAN CARE AGREEMENTS

## **D.C Official Code §2-301.07(29A)**

- Human care agreements are written agreements that may be used for the procurement of education or special education, health, human or social services... to be provided directly to individuals who are disabled, disadvantaged, displaced, elderly, indigent, mentally ill, physically ill, unemployed, or minors in custody of the District of Columbia

# HUMAN CARE AGREEMENTS

## D.C. Official Code § 2-303.06a(3)

- Must be services that an agency typically purchases as needs arise, but for which the quantity, rate of utilization, delivery areas, or specific beneficiaries of the services cannot be accurately estimated at the outset of the procurement process.

# HUMAN CARE AGREEMENTS

## 27 DCMR § 1905.3

- Contracting Officer must give public notice of general requirements for human care services, and issue a request for qualifications, inviting interested service providers to respond by completing a Human Care Agreement Contractor Qualifications Record

# HUMAN CARE AGREEMENTS

**D.C Official Code § 2-303.03(c) and (c-1); 2-03.04(b)**

- Notice of Request for Qualifications must be published in a newspaper of general circulation.

# HUMAN CARE AGREEMENTS

- Potential contractors must complete and submit a Human Care Agreement Contractor Qualifications Record

# Contractor's Qualifications Record (CQR)

- You Must include:
- A list of all personnel critical to the operation and performance of your Organization
- A copy of the Certificate of Occupancy for each facility
- A Certificate of Incorporation, if applicable
- A Certificate of Good Standing, if applicable



# CQR - Continued

- A copy of your Certified Business Enterprise (CBE) certification, formerly referred to as Local Small Disadvantaged Business Enterprise (LSDBE) certification, if applicable
- A copy of your most recent Financial Statement
- Resumes of all key personnel

# CQR - Continued

- A copy of your Disclosure Information
  - pending lawsuits or investigations, judgments, indictments or convictions against the service provider or its proprietors, partners, directors, officers or managers.
- Copies of all licenses and certifications, including any specialty certifications

# CQR - Continued

- **Specialized Experience**
- Submit evidence that the prospective provider meets the District of Columbia's licensing financial standards with documentation of at least three (3) months operating costs.
- Submit evidence that the prospective provider possesses current license in the congregate service category for which they are applying.
- Submit evidence that the prospective provider has at least five (5) years of demonstrable experience in providing services for abused and neglected children

# CQR - Continued

- Submit evidence that the prospective provider has at least three (3) recent service evaluation reports which demonstrate favorable and positive performance for children in their facilities.
- Submit evidence that the prospective provider's organizational structure will have a Quality Assurance System which includes a QA coordinator to manage programmatic outcomes, Placement Provider Web (PPW) data and other performance indicators

# CQR - Continued

- CFSA will be accepting CQRs for:
- Adoption Services
- After School Care
- Developmentally Disabled Care
- Diagnostic Assessment: 12 years and Younger (29 DCMR Chapter 62 licensure)
- Diagnostic Assessment: 13 years and Older (29 DCMR Chapter 62 licensure)

# CQRs - Continued

- Educational Services
- Family Based Foster Care
- Independent Living Main Facility Program (29 DCMR Chapter 63 licensure)
- Independent Living Residential Units (29 DCMR Chapter 63 licensure)

# CQRs - Continued

- Health Services
- Homemaker Services
- Medically Fragile Care
- Mental Health Services
- Mentoring Services
- Respite Services
- Residential Treatment Services
- Substance Abuse Services

# CQRs - Continued

- Teen Bridge Program - (29 DCMR Chapter 62 licensure)
- Teen Parent Program - (29 DCMR Chapter 63 licensure)
- Therapeutic Group Home Care - (29 DCMR Chapter 62 licensure)
- Traditional Group Home Care - (29 DCMR Chapter 62 licensure)
- Tutoring Services
- This round is limited to Congregate Care



# CQRs – Continued

- Contractors must submit separate CQRs for each category of service they are interested in being considered for.
- Each package should clearly be identified on the outside with the name of the category.

## HUMAN CARE AGREEMENTS

- Contracting officer may set up a committee or panel, to review the qualifications information to determine whether each prospective vendor is qualified to provide, or perform, the human care service(s) for which the prospective vendor has submitted qualifications.

# HUMAN CARE AGREEMENTS

**D.C Official Code § 2-303.06a(f)**

- The panel rates providers as “qualified” and “not-qualified”. The CO makes an independent assessment of the panel’s recommendations.
- HCAs may be awarded to responsible vendors if the agreement is in the best interest of the District, based on an analysis of the service provider’s qualifications.

# HUMAN CARE AGREEMENTS

## 27 DCMR § 1905.6

- Prior to conducting discussions with a service provider who has submitted a Human Care Agreements Qualifications Record, the Contracting Officer must certify in writing the financial and professional responsibility of each prospective contractor based on the following criteria:
  - -(a) The type of business or organization and its history;
  - -(b) The resumes and professional qualifications of the business or organization's staff, including relevant professional and/ or business licenses, affiliations, disclosures and specialties;

# HUMAN CARE AGREEMENTS

## 27 DCMR § 1905.6

- -(c) Information attesting to financial capability, including financial statements;
- -(d) Specialized experience and technical competence in the type of work required;
- -(e) Capability to accomplish the work in the required time;
- -(f) A summary of similar contracts awarded to the services provider, and the services provider's performance of these contracts;
- -(g) A certification of compliance with all applicable tax and filing requirements;

# HUMAN CARE AGREEMENTS

## 27 DCMR § 1905.6

- (h) A statement attesting to compliance with wage, hour, workplace safety and other standards of labor law;
- (i) A statement attesting to compliance with federal and District equal employment opportunity law;
- (j) Information about pending lawsuits or investigations, and judgments, indictments or convictions against the service provider or its proprietors, partners, directors, officers, or managers; and
- (k) Acceptable under other appropriate characteristics of a prospective service provider.

# HUMAN CARE AGREEMENTS

- For the fore-going reasons, it is important that your CQRs be complete and comprehensive

# HUMAN CARE AGREEMENTS

- Following pre-qualification of service providers, the contracting officer will issue a comprehensive statement or scope of work (SOW).
- Providers submit a business plan and price/cost proposal.
- CO may conduct discussions with all qualified service providers, and negotiate a price on a unit rate or fee for service basis.



# HUMAN CARE AGREEMENTS

## 27 DCMR § 1906.3

- Human Care Agreement Qualifications Records and supporting documents for approved service providers must be retained for a period of 3 years following prequalification of service providers.

# HUMAN CARE AGREEMENTS

- Compliance with the human care agreement requirements constitute a competitive procedure for the procurement of human care services.
- All awardees must be provided a fair opportunity to receive a task order.

## HUMAN CARE AGREEMENTS

- When a master human care agreement is signed initially, there is no commitment to purchase any quantity of a particular good or service; the District is only obligated to the extent authorized purchases are made pursuant to issuance of a human care agreement Task Order.

# HUMAN CARE AGREEMENTS

- **Each human care agreement will include a statement that:**
  - **The human agreement is not a commitment to purchase any quantity of a particular service covered by the agreement; and**
  - **The District is obligated only to the extent that authorized purchases are made by a Human Care Agreement Task Order.**

# HUMAN CARE AGREEMENTS – Task Orders

*Valid  
Human Care Agreement  
Task Order*

- **Funding**
- **Compliance with laws and regulations**
- **Signed by contracting officer**
- **Compliance with 27 DCMR reviews and approvals**

# HUMAN CARE AGREEMENTS – Task Orders

*Valid  
Human Care Agreement  
Task Order*

- **Compliance requirements**
  - Office of Tax and Revenue
  - Department of Employment Services
  - Office of Human Rights
- **Will include a minimum/maximum requirement**

# HUMAN CARE AGREEMENTS – Task Orders

Valid  
Human Care Agreement  
Task Order

*CFSA is in the process of  
developing an internal  
policy to determine  
how task orders will be  
assigned.*

# HUMAN CARE AGREEMENTS – Task Orders

*Valid  
Human Care Agreement  
Task Order*

- It is CFSA's intention to have the policy completed by May 19, 2009.



# HUMAN CARE AGREEMENTS

- Human care agreements task orders exceeding \$1M must be approved by the Council.

# **HUMAN CARE AGREEMENTS**

- **DISCUSSION**

# **HUMAN CARE AGREEMENTS PRESENTATION**

Visit CFSA's website at [www.cfsa.dc.gov](http://www.cfsa.dc.gov)  
for more information  
under Contracting Opportunities